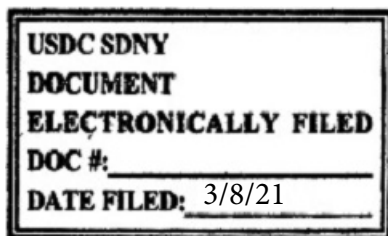


TIN FULTON WALKER & OWEN



Barbara Moses
Judge
Rick Moynihan
County Courthouse
500 Pearl St. Room 740
New York, NY 10007-1312
VIA ECF

Application GRANTED IN PART. The Court will conduct a telephonic scheduling conference on **March 24, 2021, at 10:00 a.m.** At that time, the parties shall dial (888) 557-8511 and enter the access code 7746387. SO ORDERED.

Barbara Moses, U.S.M.J.
March 8, 2021

Noell P. Tin
° Shirley L. Fulton
* Nancy E. Walker
C. Melissa Owen
John W. Gresham
F. Lane Williamson
William G. Simpson, Jr.
S. Luke Largess
Sam McGee
Matthew G. Pruden
Jim Melo
Courtney H. Smith
Emily D. Gladden
Abraham Rubert-Schewel
Cheyenne N. Chambers
* Of Counsel
° Retired

March 7, 2021

Re: *Regina Roth v. The Cheesecake Factory*, 19-CV-6570, Expert Discovery

MEMO ENDORSED

Dear Judge Moses,

Plaintiff respectfully requests a discovery conference, or that your honor set an expert discovery schedule.

On June 16, 2020, this Court suspended expert discovery pending briefing and a decision on summary judgment as to liability. ECF No. 38. On February 5, 2021, this Court issued a report and recommendation to the Honorable George B. Daniels; this Court recommended that defendant's motion for summary judgment be denied. ECF No. 51. Defendant did not object to this Court's report and recommendation.

On February 5, 2021, counsel provided Plaintiff's Fourth Supplemental Rule 26 disclosure, which included Plaintiff's expert report and CV. Plaintiff has previously provided medical records, HIPPA releases, and the identity of Plaintiff's treating physician. Defendants have provided no expert reports, nor have they sought to examine Plaintiff.

On February 26, 2021, Plaintiff requested to meet and confer with defense counsel as to an expert discovery schedule. As of today, defense counsel has not responded to Plaintiff's request.

Plaintiff respectfully requests this Court hold a discovery conference or set an expert discovery schedule.

Respectfully,

/s/

Abraham Rubert-Schewel

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